

Karl Winkler

Well-Traveled and Well-Read Rockford Mediator

by Chris Bailey

ROCKFORD—Call it a Solomon’s choice without the sword, but still carrying lifelong implications.

Such a choice beset a set of twins as 1960 approached, each young man bright, athletic and aspiring. Stir in a family legacy of military service, from their father’s membership in the Black Horse Cavalry Troop in World War II to a family member who was a general in the Civil War. But with only one appointment to West Point available, what were they to do?

The twin with the better eyesight, and therefore the better chance of winning the appointment to the U.S. Military Academy, made the application. That twin was not Karl F. Winkler of **Oliver Close LLC** in Rockford. But as with many other young men of that generation, the decade and its war would leave a brand on his life and soul anyway.

Karl and brother Kim mostly grew up in Watseka, south of Kankakee, near the Indiana border. They led the idyllic small-town life of energetic boys, enjoying scouting, helping their father, who was a large animal

veterinarian, and playing every sport as it came into season. They graduated in 1960 with about 100 others, having been part of the highest scoring football team in the state that year, according to Winkler.

“But my mom and dad also insisted we read, and read a lot,” says Winkler. Mom and Dad know best, as the adage goes.

Suddenly faced with choices that didn’t include West Point, he turned to the Ivy League’s Dartmouth College in Hanover, N.H. No, Dartmouth didn’t offer athletic scholarships. But at least partly because of that parental reading edict, tuition was covered by an academic one.

“I discovered they sure liked football players who are smart,” he says, smiling at the memory.

He credits his first college roommate with teaching him about the media, that “different papers treat topics differently,” an observation he’d not made in a small town with little media. He also loved the requirement that all freshmen had to participate before school started in the Dartmouth Outing Club’s

freshman trip into the White Mountains.

His proximity made it possible for him to attend John F. Kennedy’s 1963 funeral. He viewed the president’s casket in the Capitol rotunda and stood along the street as the flag-draped coffin rolled by, accompanied by a riderless horse with boots backward in the stirrups. He was participating in a moment of grief seared into the nation’s memory.

Dartmouth also offered him a method to fulfill that family military legacy sans West Point.

“In 1960, ROTC (Reserve Officers’ Training Corps) was not yet a dirty word,” says Winkler. “Vietnam had not yet happened.”

But it would. And it would touch everyone a little differently.

He graduated from Dartmouth in 1964 with a U.S. Army Reserve commission and was deferred from military service for three years so he could attend law school, graduating from the University of Illinois Law School. By then he had married wife Tracy, a former ballerina, and Vietnam *had* happened in a big way.

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Meritocracy and Toxic Home Front

His brother's presence in-country, the term of that day representing on-the-ground service in the jungles of Vietnam, largely assured that Winkler didn't have to take that long, long plane ride across the Pacific. He served instead as battery commander of a Nike Hercules Missile Unit. Having passed the bar exam, the Army was his introduction to the legal profession—in the military justice system, often as a defense attorney in Courts Martial.

"The military has a very good legal system," he says, adding "but then, I found the Army to be very much a meritocracy."

As a Distinguished Military Graduate at Dartmouth, he had been given the option of receiving his commission in the regular Army, with an eye toward making it his profession, or of serving in the Army Reserve. Before making his choice, he talked to his brother, the guy with the insider's knowledge of Army politics.

"He told me not to," says Winkler, of joining the regular Army. "He said, 'You'll never make general because you didn't go to West Point.'" So he chose the Reserve, a decision he did not regret as he watched his brother and many of his West Point classmates become disillusioned over time with the prosecution of the conflict in Vietnam.

"They didn't think they were allowed to win," says Winkler, referring to the many politically imposed rules of engagement that severely limited military options even as the body bags kept flowing home. He says more than half of his brother's classmates resigned from the Army after their initial four-year commitment, even though they were on career tracks boosted by their West Point attendance.

The mood at home had become toxic toward the military as well. Of the more than 600 members of Winkler's Dartmouth graduating class of 1964, 167 entered the military during the Vietnam War. When Dartmouth put together a book, *Dartmouth Veterans: A Vietnam Perspective*, nearly 60 of his classmates submitted entries, as did he.

"We all learned a lot about ourselves," says Winkler.

His memories included the morning after the 1968 presidential election, when he found himself aboard a military evacuation plane, along with a number of severely injured young men home from the war, at least one of them wondering how he'd come to this point.

"We are right, aren't we?" he asked then Capt. Winkler, a mere passenger on the sad flight.

The following is what Winkler wrote and submitted for the Dartmouth book:

I didn't want this conversation....They've given so much of themselves when so few have. They were boys without college or graduate school or political pull or a huge metropolitan draft pool. This war never made sense to me or my fellow...trainees. We proudly served; we didn't have to believe. But what to say?

"You were right, soldier," I said as I shuffled forward to the passenger section, thinking of the price they all had paid....

There was a crowd at the fence. They had signs. "Murderers," said a sign. "Shame," said another. A guy with a megaphone was yelling. The signs and screaming were directed at the boys on stretchers who were being loaded into military ambulances. The crowd gathered by the gate as it opened and the procession of ambulances moved through. The guy with the megaphone and his followers spit at those boys who had given all they had....

That was Vietnam at home to me. The treatment of our combat troops, often black, Hispanic and rural, by others not serving their country appalled me then and appalls me now.

Please, No Cubby Hole or Tax Code!

"I think we lost something when we lost the draft and with it, citizen participation in the military," says Winkler, still feeling the psychic trauma of the moment 45 years later.

When he left the military, he knew he didn't want to work in Chicago, where he had spent his summers during law school.

"I didn't want to work in a cubby hole, buried in No. X of sub-paragraph Y of some obscure part of the tax code," says Winkler. He tried the collar counties and Phoenix, where he wanted to live. No one was hiring. He looked up his old buddies with law school and military experience. They recommended he try Rockford.

"I thought it was in southern Illinois," he says sheepishly. When he was finally offered a job he took it mostly, he says, because "it wasn't in Chicago."

A few months after he started, he found himself in his first jury trial facing "the pre-eminent insurance defense attorney in town" and "doing everything else my boss didn't like to do."

He successfully represented a local accountant who left a Big Five public accounting firm and took most of his clients with him.

"There was no non-compete contract in place and we won," says Winkler, of a case that nevertheless left a bad taste.

"Like many clients, he figured he didn't need us," says Winkler. "He never even said thank you. Many clients never do."

A long-time litigation attorney on both sides, he became a big part of Illinois' push for expanded mediation in state courts.

"The project was originally formed of Winnebago County trial lawyers," he says. "The Supreme Court loved it and we began training mediators in other counties." He has since been a mediator for the federal district court and the U.S. Postal Service.

He says his mediation skills helped him deal with two local businessmen who became partners and "\$1½ million dollars later, decided they couldn't stand each other."

Those skills also have helped him in trust and estate cases where family animosities run deep years and years later.

He was making \$6,000 a month when he withdrew from a battle between siblings, one of whom was still raging on because her sister "forgot to pick her up for her junior prom."

In another, a rich sister married to a Houston oil king showed up wearing a mink and diamonds, complete with evident plastic surgery scars, to fight her far poorer sister. Why?

"Because when they were 12, she thought her sister made her look bad," says Winkler. She had worked her way up to her sister's sins at age 18 when Winkler walked out.

He gave up on handling divorces because "there was no money to be made and because everyone's mad at the end." Or maybe it was when one marital combatant threatened to kidnap Winkler's children, twin sons Kurt and Kent.

Winkler says many of his clients are "too old to fight anymore and now are trying to protect their wealth." And it's a good thing, he says.

"I'm trying to stay away from litigation," he says, "because I don't have the stamina anymore."



Winkler fishing in Wisconsin's Driftless Area.

If he's tired, it might be because he has been such a busy guy. He's a licensed pilot, no longer current. He has a SCUBA certification and has traveled widely, including to 21 countries and "anyplace the trout are biting." And he's a 36-year member of a local book club that has read and analyzed more than 300 books.

Longtime friend and eye surgeon Nelson Gurney, now living on Bainbridge Island in Washington, says he formed the book club after one too many episodes of *Mary Hartmann, Mary Hartmann* left him feeling "brain dead." He rounded up Winkler and others to launch the club and still participates to this day, now via Skype.

Those Pictures Prove It

"Lawyers don't all have good reputations," says Gurney. "But Karl is a topnotch guy. Our friendship goes back 35 years to when our wives were working together in a women's center. But he's also my attorney."

Winkler's also the guy who has pictures proving Gurney was once wrong, and wrong in a big way.

They were vacationing in the Four Corners area of the Southwest in 1997 when they found themselves with a free day. The women went shopping. One guy went hiking, leaving the others standing around with nothing to do.

"One guy said he'd seen an Orvis shop and said, 'Let's hire a guide and go fly fishing,'" says Gurney, his disgust for the suggestion then still evident now. "I didn't want to go. I'm a contact sports kind of guy. It seemed a little too effete to me."

About that he was seriously wrong. After some practice in the parking lot, he waded into the river with low expectations.

"The cool immediately brought a sense of peace and tranquility," he says. "It was an act of beauty and grace. I wasn't catching any fish, but I was happy." As they were packing up to leave, he spied a shadow in the lee of a rock and tried one final cast.

"It hit, the trout leaped and I had a gift of the Gods," he says, the excitement of the moment in his voice years later. "And Karl was taking pictures."

It was an experience that would help reinforce the friendship of a lifetime.

"It opened up a whole new world of grace, beauty and symmetry," says Gurney. "And he's become one of my best friends in life."

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WINKLER

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You're lucky in a lifetime if you have three or four really good friends. He's one of mine. He helped me through a dark night of despair with gentle words and kindness. He really, really helped me out."

Helping during dark moments seems to be a Winkler habit.

Stacy Paris, who has been Winkler's legal assistant for 16 years, was in Madison, Wis., helping her 15-year-old daughter through cancer treatments when contacted about her boss. She hadn't been to work in four weeks, courtesy of Winkler.

"We're near the end now, and it looks like she's going to be OK," she says. "But I know my job is there when we get back. He's a great, great boss and a great, great friend....and now I'm gonna cry."

She says his integrity is impeccable, and he has a way of asking for help that makes him an office favorite with the secretaries. She loves doing community service activities with him and says he's helped a lot of students.

"He's the Dartmouth alumni coordinator in Rockford," she says. "He meets with prospective students, helps them with essays and helps them get in."

But her admiration mostly involves the personal, not the professional.

"My kids adore Karl," she says. "They respect his opinion. Many times I had to leave work to pick up the kids from school. Karl always understood. I can't wait to get back. I've missed those daily talks with him."

Thoughtful conversation is what longtime book club member Mike Auster of Chicago and Melbourne, Australia, equates with Winkler, too.

"I hold him in high regard in terms of his intellectual prowess and clear thinking," says Auster, who reports that their club's selections include everything from Raymond Chandler to Gabriel Garcia Marquez.

"No one is more widely read than Karl," he says. "His literature background and obvious training in the Socratic method really show. But he never lorded that over us too often. He was intellectually very curious, fair and honest. What you see is what you get with Karl."

Finally, Two to Tango

But what Winkler thinks is his biggest accomplishment has nothing to do with the law or books or fishing. He is exceptionally proud that he has danced the Argentine tango with his ex-ballerina wife in Miami Beach, Austin, Montreal, Seattle and many other cities.

They were visiting a son in San Francisco when they happened upon a Union Square area production of *Forever Tango*.

"It was hot, hot, hot," says Winkler. When he told the story later, a breakfast club buddy told him he could take tango lessons in Rockford. After he and his wife attended a demonstration, she asked him if he'd like to try some lessons.

"After 30 years, she finally danced with me," says Winkler, a big smile lighting his face.

And with their 50th wedding anniversary coming up soon, would they consider dancing a celebratory Argentine tango together in Argentina itself?

"I'd love to," says a wistful Winkler. "But we'll probably just go to bed." ■